

REMARKS

The Office Action dated March 23, 2005 has been carefully considered together with the cited references. In view of the foregoing claim amendments and the following remarks, it is believed that the application is now in condition for allowance.

The Office Action rejected originally filed claims 1-16 under 35 U.S.C. 112, second paragraph, as being indefinite, due to the use of the word "type" in the preamble of claims 1 and 12. In response, applicant has removed the word "type" from claims 1 and 12 and their dependent claims.

The Office Action further rejected the claims under 35 U.S.C. 103(a) as being unpatentable over two combination of references. Specifically, the Office Action rejected claims 1-10 and 12-16 over Lemetyinen et al. (US Patent 5,664,731) in view of Dean et al. (U.S. Patent 4,404,507), and rejected claims 1-16 over Lemetyinen et al. in view of Hunt (U.S. Patent 5,048,282). Lemetyinen was cited for its disclosure of a shower head spray device. The Office Action acknowledged that Lemetyinen does not disclose a motor, but asserted that Dean discloses a motor Mx and a microprocessor-based control circuit, and that Hunt discloses a motor 52 and a microprocessor-based control circuit in Figure 19. The Office Action then asserted that it would have been obvious to combine Dean or Hunt with Lemetyinen to reach the claimed invention.

In response, applicant has amended the claims to more particularly point out and distinctly claim the invention. In particular, independent claims 1 and 12 have been amended to recite that the motor for rotating the brush shaft of the shower header spray device has a microprocessor-based control circuit programmed for driving the brush shaft to pre-selected positions to execute a cleaning operation in the particular way recited in the claims, and that the motor is connected to an operation controller, which control signals to the motor to execute the cleaning operation. Claims 4, 5 and 13 are canceled.

Applicant submits that the invention as recited in the amended claims is not anticipated or rendered obvious by the combination of Lemetyinen with either Dean or Hunt. The combination of using a motor with a microprocessor-based control circuit to drive the brush shaft of the shower header spray device, and using a controller to send control signals to the motor control circuit to execute a cleaning operation, is not taught or suggested by either Dean or Hunt. In this regard, applicant points out that the motors and microprocessor-based control circuits disclosed in Dean and Hunt are for specific mechanical operations that

are very different from the way the motor is used to perform the cleaning operation as recited in the claims. Moreover, neither Dean nor Hunt teaches or suggests the use of a motor with its own microprocessor-based control circuit that is programmed to rotate the brush shaft to pre-selected positions in response to control signals from an operation controller. Thus, it would not have been obvious to combine the motors and controls in Dean and Hunt with the spray device of Lemetyinen, and even if such a combination could be made, it would still not reach the claimed invention.

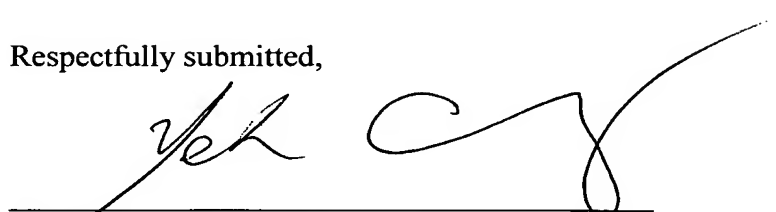
Accordingly, claims 1-3, 6-12, and 14-16 as amended should be allowable over the combination of Lemetyinen, Dean, and Hunt.

Applicant has also added new claims 17-20. These claims are directed to a method for retrofitting shower header spray device operating in the field with a motor and a controller to enable automated cleaning operations. Support for the claimed method is found, for example, in Paragraph 0033 of the specification. The claimed method of retrofitting is not anticipated or made obvious by any combination of the cited references.

Conclusion

As discussed above, it is believed that the present application is in condition for allowance. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,



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